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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,045	07/21/2003	Atsushi Ishihara	T000-P03014US	5918

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SoCAL IP LAW GROUP LLP
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EXAMINER

ROTH, LAURA K

ART UNIT	PAPER NUMBER
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2852

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/624,045

Applicant(s)

ISHIHARA, ATSUSHI

Examiner

Laura K. Roth

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-8 is/are allowed.
- 6) ☒ Claim(s) 1 and 10-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/14/05</u> | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Claims 10-12, 19-21, and 28-30, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 20 November 2006 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Oath/Declaration

The oath or declaration filed 22 January 2007 has been accepted.

Claim Objections

Claims 1-3, 10, 13, 19, 22, and 28 are objected to because of the following informalities:

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- The phrase "that features:" should be rewritten as - -comprising:- - (cls.1 & 2, ln.1).
- The phrase beginning with "and adding to" could benefit from revision to improve clarity of meaning (cl.2, ln.11-14).
- The phrase "comprising " should be rewritten as - -comprising:- - (cls.3 & 10, ln.3; cls.13, 19, 22, & 28, ln.1).
- The phrase "the image forming apparatus **have** a first display" should be rewritten as - -the image forming apparatus **has** a first display- - (cl.10, ln.2).
- Claims 4, 10, 14, and 23, must end in a period.
- Separate features or steps following the phrase "comprising" should be separated using a semi-colon (see claims 3, 10, 13, 19, 22 and 28).
- The claims are replete with grammatical and punctuation errors.

Applicants' assistance in revision is requested to improve the form.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13-18 and 22-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office cannot ascertain the metes and bounds of claims 13-21 as currently written. Claims 13-18 positively recite an image forming apparatus comprising a first, standard display device and a controller. Claims 13-18 further have a control program intended to interact with articles that are not positively recited as a part of the image forming apparatus (i.e. a second, optional display device, a first standard user interface, an operational guidance interface, a second standard user interface, and different interface) and the control program does not further define structure of the image forming apparatus. Claims 22-27 positively recite an image forming apparatus comprising a first, standard display device. Claims 22-27 further have various means intended to interact with articles that are not positively recited as a part of the image forming apparatus (i.e. a second, optional display device, a first standard user interface, an operational guidance interface, a second standard user interface, and different interface) and the control program does not further define structure of the image forming apparatus. Claims 13-18 and 22-27 will be considered as to the positively recited subject matter when treated on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Altrieth, III (US 5,543,897).

Regarding claim 1, Altrieth, III (US 5,543,897) teaches a display control apparatus (fig.2, #31) for image forming apparatus (fig.2) that features: a first operation panel with which operators can select multiple functions of an image forming apparatus that has aforementioned multiple functions (fig.2, Operator control panel; fig.3, #OCP); a second operation panel (fig.2, #200; fig.7, #200) that is configured so that it can be loaded and unloaded freely to/from the aforementioned image forming apparatus (col.4, ln.42-47) and with which operators can select aforementioned multiple functions (col.4, ln.38-42, ln.50-61); a detection means to detect whether the second operation panel is loaded or not when the aforementioned image forming apparatus is turned on (fig.2, #31 – though not discussed would be a function of the control unit); and a controlling means that controls items that are displayed on the first operation panel according to the result of detection by the aforementioned detection means (fig.2, #31 controls the inputs of the OCP and #200 and displays a pointer arrow on the standard selection display when the keyboard is attached – see fig.5, near box with 2->1).

Claims 10-12, 19-21, and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Taguchi et al. (US 5,937,232).

Regarding claim 10, Taguchi et al. (US 5,937,232) teach a method of providing user interface displays (fig.4, #402; fig.2, #240; fig.3, #309; fig.2, #203) in an image forming apparatus (fig.1), the image forming apparatus have a first display device (fig.4, #402; fig.2, #240) and a second display device (fig.3, #309; fig.2, #203), the method comprising providing a standard user interface to the first display device (fig.5 & 6), the standard user interface including an option for the user to select an advanced interface (fig.7), providing an operation guidance interface to the second display device (fig.13), if a user selects the option for the advanced interface, then providing the advanced interface to the first display device and the second display device (fig.8, & fig.14).

Regarding claim 11, Taguchi et al. (US 5,937,232) teach an image forming apparatus wherein the advanced interface includes an option for the user to select a custom interface (fig.7, #703; fig.25) and the standard interface lacks an option for the user to select a custom interface (fig.5 does not have #703).

Regarding claim 12, Taguchi et al. (US 5,937,232) teach an image forming apparatus further comprising, if the user selects the option for the custom interface, then providing the custom interface to the first display device and the second display device (see fig.25 and fig.27).

Regarding claim 19, Taguchi et al. (US 5,937,232) teach an image forming apparatus (fig.1) comprising a first display device (fig.4, #402; fig.2, #240), a second display device (fig.3, #309; fig.2, #203), a controller (fig.2), a control program (executed by fig.2, #200) having instructions for causing the controller to provide a standard user interface to the first display device (fig.5 & 6), the standard user interface including an

option for the user to select an advanced interface (fig.7), provide an operation guidance interface to the second display device (fig.13), determine if a user has selected the option for the advanced interface, and if so, then to provide the advanced interface to the first display device and the second display device (fig.8, & fig.14).

Regarding claim 20, Taguchi et al. (US 5,937,232) teach an image forming apparatus wherein the advanced interface includes an option for the user to select a custom interface (fig.7, #703; fig.25) and the standard interface lacks an option for the user to select a custom interface (fig.5 does not have #703).

Regarding claim 21, Taguchi et al. (US 5,937,232) teach an image forming apparatus further comprising, if the user selects the option for the custom interface, then providing the custom interface to the first display device and the second display device (see fig.25 and fig.27).

Regarding claim 28, Taguchi et al. (US 5,937,232) teach an image forming apparatus comprising a first display device (fig.4, #402; fig.2, #240), a second display device (fig.3, #309; fig.2, #203), means for providing a standard user interface to the first display device (fig.2, #220/230; fig.5 & 6), the standard user interface including an option for the user to select an advanced interface (fig.7), means for providing an operation guidance interface to the second display device (fig.2, #202; fig.13), means for providing the advanced interface to the first display device and the second display device if a user selects the option for the advanced interface (fig.8, & fig.14).

Regarding claim 29, Taguchi et al. (US 5,937,232) teach an image forming apparatus wherein the advanced interface includes an option for the user to select a

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custom interface (fig.7, #703; fig.25) and the standard interface lacks an option for the user to select a custom interface (fig.5 does not have #703).

Regarding claim 30, Taguchi et al. (US 5,937,232) teach an image forming apparatus further comprising means for providing the custom interface to the first display device and the second display device (see fig.25 and fig.27), if the user selects the option for the custom interface.

Claims 13 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by at least Taguchi et al. (US 5,937,232), Watanabe (US 5,091,746), Machida et al. (JP Pub. 2002-014800), or Altrieth, III (US 5,543,897).

Regarding claim 13, Taguchi et al. (US 5,937,232) teach an image forming apparatus comprising: a first, standard display device and a controller (fig.2, #240 and #220, respectively).

Regarding claim 13, Watanabe (US 5,091,746) teaches an image forming apparatus comprising: a first, standard display device and a controller (fig.20, and fig.1, #101, respectively).

Regarding claim 13, Machida et al. (JP Pub. 2002-014800) teach an image forming apparatus comprising: a first, standard display device and a controller (ABSTRACT).

Regarding claim 13, Altrieth, III (US 5,543,897) teaches an image forming apparatus comprising: a first, standard display device and a controller (fig.2, Operator Control Panel & #31, respectively).

Regarding claim 22, Taguchi et al. (US 5,937,232) teach an image forming apparatus comprising: a first, standard display device (fig.2, #240).

Regarding claim 22, Watanabe (US 5,091,746) teaches an image forming apparatus comprising: a first, standard display device (fig.20).

Regarding claim 22, Machida et al. (JP Pub. 2002-014800) teach an image forming apparatus comprising: a first, standard display device (ABSTRACT).

Regarding claim 22, Altrieth, III (US 5,543,897) teaches an image forming apparatus comprising: a first, standard display device (fig.3).

Allowable Subject Matter

Claims 2-8 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

- Prior art does not disclose or suggest the claimed “a second operation panel that is configured so that it can be loaded and unloaded freely... adding to the predefined display items, at least a mode button that can switch the display items on the second operation panel is displayed when the aforementioned detection means determines that the aforementioned second operation panel is loaded” in combination with the remaining claim elements as set forth in claim 2.
- Prior art does not disclose or suggest the claimed “if the second, optional display is not available, then providing a second standard interface to the

first display device wherein the first standard interface includes an option for the user to select a different interface and the second standard interface lacks an option for the user to select a different interface" in combination with the remaining claim elements as set forth in claims 3-8.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura K. Roth whose telephone number is (571)272-2154. The examiner can normally be reached on Monday-Friday, 7:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

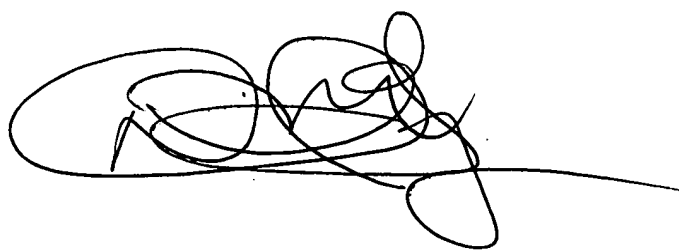
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3/30/2007

A handwritten signature in black ink, appearing to read 'D. M. Gray', with a long horizontal line extending to the right.

DAVID M. GRAY
SUPERVISORY PATENT EXAMINER